

ELJWP



East London Joint Waste Plan

Consultation Protocol

Update to accompany Publication (Regulation 19) of the Submission
Draft East London Joint Waste Plan

Final

13.02.25

**Barking &
Dagenham**

 **Havering**
LONDON BOROUGH

 **Newham London**

London Borough of
Redbridge 

Consultation Protocol for the Preparation of the East London Joint Waste Plan

Update to accompany Publication (Regulation 19) of the Submission Draft East London Joint Waste Plan

Prepared by **BPP Consulting**

Final
February 2025

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1. Introduction

This East London Joint Waste Local Plan Consultation Protocol describes the overall approach to consultation and communication that will be taken (and has taken place) during the preparation of the East London Joint Waste Plan (ELJWP). The document outlines the background and context for the preparation of the ELJWP and includes a programme of consultation activities. This is an updated version that also includes details of the current 'Regulation 19' consultation stage.

Every London Borough has a statutory responsibility to plan for future waste management within its area by preparing a Local Plan that includes policies on how and where waste should be managed. In East London the following four Boroughs adopted a joint waste plan (known as the East London Waste Plan) in 2012:

- London Borough of Barking & Dagenham
- London Borough of Havering
- London Borough of Newham
- London Borough of Redbridge

The East London Waste Plan contains planning policies against which the Boroughs assesses planning applications for development associated with the management of waste. The waste plan is in addition to each Boroughs' Local Plan which considers all other forms of development including housing.

Regulations require local plans to be reviewed and so the four East London Planning Authorities are now renewing the adopted ELWP and replacing it with the East London Joint Waste Plan (ELJWP). The ELJWP will plan for the management of all waste arisings in the area up to 2041. It will do this by setting a vision and objectives for the management of the waste produced in the area and by ensuring there is sufficient waste management capacity to manage the waste in ways that will meet the objectives of the Plan and help ensure its vision is realised. The Plan does not identify land for the development of new facilities, however existing waste management facilities are proposed to be safeguarded from redevelopment for other uses. To be aligned with the vision, and to meet the objectives, the Plan will consider how waste should be managed using a mix of technologies ranging from recycling and composting through to energy recovery and disposal. The safeguarded sites and associated policies of the Plan will enable the boroughs to meet their waste

management targets (including recycling) and their waste apportionment targets included in the London Plan.

The four local authorities have appointed BPP Consulting as lead consultants to assist with the preparation of the ELJWP. Land Use Consultants (LUC) has been appointed to prepare the Integrated Impact Assessment (IIA) and Habitat Regulations Assessment (HRA).

Background legal and policy context

The National Planning Policy Framework (2024) sets out requirements for producing a Local Plan including the need for consultation. Specifically, it states that Plan should:

- Be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
- contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals; and,
- be accessible through the use of digital tools to assist public involvement and policy presentation.

Consultation requirements are also set out at a local level in the Borough's Statements of Community Involvement. The legal requirements for plan making, including consultation, are set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Boroughs' Statements of Community Involvement (SCI) can be accessed electronically via the following links:

- [London Borough of Barking and Dagenham SCI](#), 2020
- [London Borough of Havering SCI](#), 2021
- [London Borough of Newham SCI](#), 2022
- [London Borough of Redbridge SCI](#), 2020

Initially the Boroughs are required to consult on what the ELJWP should cover, and they have done this by consulting on a draft plan that set out a draft vision, strategic objectives and policies. Following this the Boroughs are required to submit their final draft plan to the Secretary of State for independent examination. Before they submit the Plan, the Boroughs will publish it (known as the 'Submission Draft ELJWP') in order to give an opportunity for communities and other stakeholders to comment on whether the Plan is 'sound' and has been prepared in accordance with the relevant legislation. The Plan is currently at this stage.

At the examination an independent planning inspector will consider any representations made and may ask those who have made representations to appear at public hearings. Following the examination, the Inspector will issue a report on whether the Plan is sound and legally compliant. The Boroughs are not able to adopt and implement the Plan until the inspector has concluded that it is sound and legally compliant.

This Consultation Protocol includes a comprehensive consultation programme setting out how local residents, businesses and other stakeholders can take part in the development of the ELJWP. This programme takes account of, and is consistent with, the relevant legislation and Statements of Community Involvement prepared by each Boroughs. The consultation programme includes the key elements outlined below.

Communication methods

The following methods will be used to communicate how the ELJWP is being prepared.

1. A dedicated online consultation portal, hosted by the London Borough of Havering, that will act as a 'one stop shop' for consultation and communication with stakeholders and the wider public on the ELJWP. The website address for the online consultation portal is as follows:
<https://consultation.havering.gov.uk/planning/east-london-joint-waste-plan/>
2. Publication of information about the ELJWP, the plan making process, and FAQs on the website.
3. Notification of the process by each Borough, in line with the Boroughs' SCIs, emailing stakeholders in its area using details held on the Boroughs' consultation databases.
4. Announcement of the process via the Boroughs' social media platforms (e.g. X (Twitter), Facebook, Instagram, YouTube channel)
5. Publication of hard copies of draft plans at each consultation stage for inspection at the Boroughs' main offices and libraries in some Boroughs (if required by individual Boroughs' Statements of Community Involvement).
6. Publicise in local newspapers or newsletters at key stages of the process (if required by individual Boroughs' SCI)

Consultation process

7. As part of the consultation on the draft Plan between July and September 2024 the following were arranged to ensure that all those interested were given additional opportunities to influence the content of the Plan:
 - a An online joint launch event took place at the beginning of the draft plan stage.
 - b Two drop-in sessions were held in each borough during the consultation period.

8. The following relate to both consultation on the draft Plan and publication of the Submission (Regulation 19) version of the Plan:
 - a Opportunity for comment on the evidence base used to inform the content of the ELJWP.
 - b Consultation comments received at all consultation stages are recorded on a project database, and a summary report produced, which will be made available for inspection on the project website. The report on the consultation on the draft ELJP (the 'Consultation Statement') is now available to view on the consultation portal. All comments received on the Submission (Regulation 19) version of the Plan will be published as received.

9. Alongside the Submission (Regulation 19) version of the Plan a formal 'statement of representation procedure' is required to be published that sets out exactly how and where documentation can be viewed and comments can made. The 'statement of representation procedure' is now available to view on the consultation portal.

10. It is important to note that the Boroughs collect and process personal information in order to provide a range of public services. The Boroughs will respect the privacy of individuals and endeavour to ensure personal information is collected fairly, lawfully, and in compliance with the General Data Protection Regulation and Data Protection Act 2018. The name of any person making a representation for the Submission (Regulation 19) version of the Plan will be published, as this is necessary to assist with the examination process, however any other personal details included within comments will be redacted before the comments are published.

Commitment to consultation

Engaging in the development of the ELJWP through consultation is crucial because:

- It ensures that the outcomes align more closely with the diverse views, aspirations, and needs of the wider community.
- Public involvement plays a vital role in fostering a dynamic, transparent, and participatory democracy.
- The process enhances the quality and efficiency of decisions by tapping into local knowledge, thereby reducing unnecessary conflicts and associated costs.
- Participants gain valuable insights into the needs of communities, the business sector, and the functioning of local government, contributing to their education.
- By establishing genuine connections with communities and providing them with a tangible role in decision-making, the consultation process helps promote social cohesion.

Aims

The principle aim of the communication and consultation programme is to deliver a “sound” ELJWP by ensuring that stakeholders and the wider public in East London are involved in its preparation. The Boroughs have sought, and will seek, involvement in three principle ways:

1. *Engage:*

- Provide information about the evolving ELJWP and its preparation.

2. *Listen*

- Provide opportunities for stakeholders to:
 - contribute their ideas, with confidence that they will be taken into account.
 - Participate actively in shaping proposals.
 - Feedback on draft plans.

3. *Collaborate*

- Providing feedback on comments made by stakeholders
- Providing updates on progress and outcomes to allow stakeholders to stay informed about the process.

In addition, the programme aims to strengthen partnership working between the four East London Boroughs through co-ordinated communication across the authorities and with waste and planning professionals.

Objectives

The objectives of the communications and consultation programme are to:

1. Effectively engage with a diverse East London community and stakeholder group to raise awareness and foster understanding of major waste planning issues across East London;
2. contribute to meeting the statutory requirements for consultation set by government regulations, as well as the local requirements stipulated in the four authorities' Statements of Community Involvement;
3. achieve a coordinated programme of consultation across the four boroughs through effective joint working and communication;

Operating principles

In delivering the consultation and communication programme we will seek to abide by the following principles for community involvement which includes those set out in the Planning Advisory Services' Good Plan Making Guide, Principle 5, summarised below:

1. **The engagement plan should be an integral part of the project plan.** We will address the statutory requirements for publication and consultation on documents.
2. **Front loading of involvement.** We will provide opportunities for participation in identifying issues and debating options from the earliest stages. Community involvement will be focused at the points at which there is most potential to make a difference.
3. **The methods used to encourage involvement and participation should be relevant to their experience.** A wide range of methods and approaches will be used, tailored to the needs of different groups.
4. **Clearly articulated opportunities for continuing involvement.** The process will allow local communities to see how ideas have developed at the various stages, with effective feedback. There will be clear formal stages when involvement will take place, based on the statutory requirements, but as part of a continuous programme.
5. **Transparency and accessibility.** The processes will be clear, so that people know when they will be able to participate, and the ground rules for doing so.

6. **Planning for involvement.** Community involvement has been carefully planned in from the start of the process for plan preparation, so as to enable timely involvement.
7. **Encourage participants to explore the implications of their views rather than simply state a predetermined view or preference**

Consultation on the Submission Draft ELJWP (Regulation 19)

What is the 'Regulation 19' consultation?

The 'Regulation 19' consultation is the final opportunity to comment on the Submission Draft ELJWP before we send it to central government for examination by and independent inspector. The Regulation 19 consultation requires comments to focus on the '**legal compliance**' and '**soundness**' of the ELJWP.

This is the version of the plan that the Boroughs consider to be 'legally compliant' and 'sound' and will be submitted to the Planning Inspectorate for examination along with any comments received during the consultation. This consultation is therefore an opportunity for all stakeholders, including residents, to set out whether the ELJWP is sound and legally compliant. If it is considered that the Plan is not legally compliant and/or sound this is an opportunity to explain why and in particular how the EJWP should be changed to make it sound. All comments are considered by the Council and the Planning Inspector.

What is different about Regulation 19 compared to other stages of consultation?

The main difference between the Regulation 19 consultation and the previous stages of consultation is the statutory requirements.

Responses need to comment on whether the plan is sound or unsound based on the four tests of soundness as set out in the National Planning Policy Framework (NPPF). The NPPF states the plan is sound if it meets the following four tests of soundness:

1. **Positively Prepared:** The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development. This includes looking at whether the Boroughs are planning to meet identified needs for the management of waste, which include those set out in the London Plan, and whether we have worked with other waste planning authorities to do this. This is demonstrated in the ELJWP Duty to Cooperate Statement.
2. **Justified:** The plan contains an appropriate strategy, taking into account the reasonable alternatives, and is based on appropriate evidence. This includes

looking at the Integrated Impact Assessment to see how it assesses the ELJWP and possible alternative options for how waste might be managed in East London. It is also about looking at whether the ELJWP policy requirements are supported by the evidence¹.

3. **Effective:** The plan is deliverable over the plan period and is based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground. This is demonstrated in the ELJWP Duty to Cooperate Statement, which will be accompanied by statement(s) of common ground. This includes considering whether the policies are deliverable and flexible.
4. **Consistent with national policy:** The Plan enables the delivery of sustainable development in accordance with national planning policy, where relevant. This includes looking at whether policies are consistent with the National Planning Policy Framework and the National Planning Policy for Waste.

Responses are also required to consider whether the Submission (Regulation 19) Local Plan is legally compliant. To ensure legal compliance the Local Plan should:

- be prepared in accordance with the Boroughs' Local Development Schemes (LDS). An LDS is a published work programme that sets out the timetable for the planning documents a council proposes to produce;
- comply with the government legislation in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning Local Planning (England) Regulations 2012. These pieces of legislation set out what Local Plans should contain and how they should be prepared;
- undergo consultation in accordance with the Borough Statements of Community Involvement. Statements of Community Involvement set out the strategy and methods to be used when involving stakeholders, including communities, in the preparation and revision of plans and consideration of planning applications. The Statements of Community Involvement for each Borough were taken into account in the preparation of this Consultation Protocol;
- be accompanied by a sustainability appraisal. The Boroughs have produced an Integrated Impact Assessment, which incorporates the Sustainability Appraisal. The IIA has continuously assessed the Draft ELJWP as it has been

¹ The evidence is published alongside the Submission Draft ELJWP on the online consultation portal

prepared to check how it, and other alternative options, may impact social, economic and environmental factors within East London. The IIA aims to reduce and mitigate potential negative effects and seeks ways to deliver improvements and benefits;

- meet the requirements of the Habitat Regulations Assessment, which is a document created to identify aspects of an emerging Local Plan that would have potential to cause 'likely significant effect' on Natura 2000 (a network of nature protection areas in the European Union). This is included as part of the Integrated Impact Assessment;
- be in general conformity with the London Plan, which is the strategic plan for London prepared by the Mayor of London; and,
- provide evidence of working collaboratively, constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies on cross-boundary strategic matters. This is demonstrated in the ELJWP Duty to Cooperate Statement.

2. Consultation Programme

The table below summarises who will be consulted at the various stages of plan preparation, how they will be consulted and who will be responsible for delivering the processes. In addition, an indicative timing for each consultation stage (N.B. these are estimates and are subject to change).

| Stage | Purpose | Key tasks | Who will be consulted | Responsibilities | Indicative timing |
|--|---|---|---|---|-----------------------------|
| Preliminary work on consultation and community involvement | To establish appropriate approaches and procedures to ensure effective stakeholder and community involvement in the ELJWP | Development of project website, on which all reports and information relating to the project will be issued | Open access website for use throughout consultation programme | Borough Planning Officers/web team(s); BPP Consulting | May – June 2024 Complete |
| | | Each borough notifying all those stakeholders on their consultation databases of the start of the consultation using their preferred method of contact. | Borough consultation database consultees | Borough Planning Officers | Early July 2024 Complete |
| | | Publicise website via Boroughs' social media platforms (E.g. Twitter, Facebook, Instagram, YouTube channel) | Open access social media | Borough Planning Officers | Early July 2024 Complete |

| Stage | Purpose | Key tasks | Who will be consulted | Responsibilities | Indicative timing |
|---|---|--|--|--|--------------------------------|
| Launch of programme | To raise awareness of waste planning issues in East London and communicate the process of preparing the ELJWP | Joint online launch event | Public and stakeholders, through press releases and articles in Borough magazines | <ul style="list-style-type: none"> • Planning and logistics by Project Manager • Content by BPP Consulting | July 2024 Complete |
| Consultation on the scope of the Integrated Impact Assessment | To consult on the scope of the SA, in particular, key sustainability issues and the SA framework to be used for appraisal | Formal consultation on Scoping Report, in line with statutory requirements | Statutory consultees and others, in line with statutory requirements | Project Manager, Boroughs | March – April 2024 Complete |
| | | Publish for consultation with Reg 18 ELJWP and IIA | Key stakeholder groups, including statutory bodies, other public agencies, industry representatives, environmental groups, academics | Project Manager, Boroughs | Jul – Sept 2024 Complete |
| Consultation draft ELJWP and accompanying | To consult statutory bodies and the wider public on the Draft Plan, its reasonable | Make hard copies of documents available for inspection at council offices and in other locations (if | Key stakeholder groups, including statutory bodies, other public agencies, industry representatives, | Borough Planning Officers | Jul – Sept 2024 Complete |

| Stage | Purpose | Key tasks | Who will be consulted | Responsibilities | Indicative timing |
|--|--|--|--|---|--|
| Integrated Impact Assessment report (Reg. 18) | alternatives and their significant effects. | required by individual Boroughs' SCIs). | environmental groups, academics | | |
| | To involve statutory bodies and the wider public on waste management approaches and implications for sustainable development objectives. | FAQs setting out contents of the draft plan | Public and stakeholders – available on the project website | Project Manager, Boroughs | Jul – Sept 2024 Complete |
| | | Drop-in sessions (two in each borough) | Public and stakeholders, utilising advertising and consultee lists held by the four Boroughs and those that have expressed an interest directly. | Consultee databases held by four Boroughs • Planning and logistics and logging responses by BPP • Content and facilitation and acknowledgement and summary of contents by BPP | Jul – Sept 2024 Complete |
| | | Questionnaire on project website for feedback. | Public and stakeholders | BPP Consulting | Jul – Sept 2024 Complete |
| Consultation on Submission ELJWP, accompanying Integrated Impact | To publish version of the Draft ELJWP, IIA and evidence base that will be submitted to Secretary of State (Submission Draft) | Formal consultation on Submission ELJWP and SA Report, in line with statutory requirements (six weeks). This includes publication of a 'statement of representation procedure' that sets out | Those on consultation databases, statutory consultees, local resident/community groups and others, in line with statutory requirements. | Project Manager, Boroughs | Mid 2025 (minimum 6 week period likely commencing in June) |

| Stage | Purpose | Key tasks | Who will be consulted | Responsibilities | Indicative timing |
|---|--|---|---|---------------------------|--|
| Assessment report and evidence base (Reg. 19) | and seek stakeholder views | exactly how and where documentation can be viewed and comments can made. | | | |
| | | Make hard copies of documents available for inspection at council offices and in other locations (if required by individual Boroughs' SCIs). | Key stakeholder groups, including statutory bodies, other public agencies, industry representatives, environmental groups, academics | Borough Planning Officers | Mid 2025 (minimum 6 week period likely commencing in June) |
| Notification of Submission | To raise awareness of the submission of the ELJWP, IIA and evidence base to the Secretary of State for examination | Each borough formally notifying all those stakeholders on their consultation databases of the submission of the ELJWP in line with statutory requirements | Those on consultation databases, statutory consultees, local resident/community groups and others, in line with statutory requirements. | Project Manager, Boroughs | Late 2025 / early 2026 |
| Notification of Examination | To raise awareness of the ELJWP examination | Each borough formally notifying all those stakeholders on their consultation databases of the ELJWP examination in line with statutory requirements | Those on consultation databases, statutory consultees, local resident/community groups and others, in line with statutory requirements. | Project Manager, Boroughs | Early-mid 2026 |

| Stage | Purpose | Key tasks | Who will be consulted | Responsibilities | Indicative timing |
|------------------------------------|---|--|---|---------------------------|--------------------------|
| Consultation on Main Modifications | To publish ELJWP Main Modifications resulting from the examination and SA Report and seek stakeholder views | Formal consultation on ELJWP Main Modifications and SA Report, in line with statutory requirements | Those on consultation databases, statutory consultees, local resident/community groups and others, in line with statutory requirements. | Project Manager, Boroughs | Mid 2026 |
| Notification of Adoption | To raise awareness of of the adoption of the ELJWP | Formal notification of the ELJWP adoption in line with statutory requirements | Those on consultation databases, statutory consultees, local resident/community groups and others, in line with statutory requirements. | Project Manager, Boroughs | Late 2026 |

Feedback procedures

All representations made during the course of the consultation will be recorded in a database.

A consultation report setting out the issues raised and the Boroughs' response to the representations will be produced by BPP Consulting and made publicly available on the project website. N.B. A Consultation Statement has already been published which considers all the comments made on the Draft ELJWP at Regulation 18 stage.

All respondents will be notified regarding the availability of this report.

All respondents who make representations will also be notified of all opportunities for further involvement at later stages of the process e.g. independent examination.

We will seek to ensure that all reports are accessible to everyone. We will offer assistance to those who are blind or partially sighted or do not speak English fluently. This may include spoken or written translation in different languages, Braille, audio or large print format.

We will also seek to ensure that documents are appropriate for the audiences that the Boroughs seek to engage.

Responding to press/media enquiries

The Borough Project Manager will coordinate responses to press and media enquiries with advice from Borough communications teams, BPP Consulting and LUC as appropriate.

Further information

For further information please contact the Borough Project Manager, Cara Collier, London Borough of Havering, Cara.Collier@havering.gov.uk